

**Petition For Revival Of An Application For Patent Abandoned
Unintentionally Under 37 CFR 1.137(b) (Small Entity)**

Docket No.
(MM) 54 039

In Re Application Of: Kiener et al.

RECEIVED

JAN 09 2004

JAN 13 2004

Serial No.
09/746,732

Filing Date
December 21, 2000

Examiner
John L. Goff

Group Art Unit
OFFICE OF PETITIONS
1733

Invention:

Process and apparatus for producing a laminate, comprising at least one polymer film with information and at least one substrate, for further processing for forgery-proof documents

Attention: Office of Petitions
COMMISSIONER FOR PATENTS
P.O. Box 1450
Alexandria, VA 22313-1450

NOTE: If information or assistance is needed in completing this form, please contact Petitions Information at (703) 305-9282.

The above-identified application became abandoned for failure to file a timely and proper response to a notice or action by the Patent and Trademark Office. The date of abandonment is the day after the expiration date of the period set for reply in the Office notice or action plus any extension of time actually obtained.

APPLICANT HEREBY PETITIONS FOR REVIVAL OF THIS APPLICATION

NOTE: A grantable petition requires the following items:

- (1) Petition fee;
- (2) Reply and/or issue fee;
- (3) Terminal disclaimer with disclaimer fee--required for all utility and plant applications filed before June 8, 1995; and for all design applications; and
- (4) Statement that the entire delay was unintentional.

1. ☒ A proposed reply to the above-identified Office Action:

☐ is enclosed. ☒ was filed on September 4, 2003

The proposed reply is in the form of: _____

2. ☐ The issue fee:

☐ is enclosed. ☐ was paid on _____

3. ☒ A small entity declaration:

☐ is enclosed. ☒ was filed on April 26, 2001

4. ☒ The abandoned application was a:

☐ design application. ☒ utility application. ☐ plant application.

5. ☐ A terminal disclaimer (and fee) disclaiming a period equivalent to the period of abandonment is enclosed.

6. ☒ Since this utility/plant application was filed on or after June 8, 1995, no terminal disclaimer is required.

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Calculation and Payment of Fees

Enclosed are the following fees:

7. ☒ Petition fee under 37 CFR 1.17(m) in the amount of: \$665.00
8. ☐ Fee for amendment in the amount of: _____
9. ☐ Fee for extension of time to reply to Office Action in the amount of: _____
10. ☐ Issue fee in the amount of: _____
11. ☐ Continuing application filing fee in the amount of: _____
12. ☐ Terminal disclaimer fee in the amount of: _____
13. ☐ _____

Total fees enclosed: \$665.00

The fee of \$665 is to be paid as follows:

- ☒ A ~~2039~~ ^{PTO-} in the amount of the fee is enclosed.
- ☐ The Director is hereby authorized to charge any fees which may be required, or credit any overpayment, to
Deposit Account No. _____

**Petition For Revival Of An Application For Patent Abandoned
Unintentionally Under 37 CFR 1.137(b) (Small Entity)**

Docket No.
(MM) 54 039

In Re Application Of: *Deper et al.*

Serial No.
09/746,732

JAN 09 2004

Filing Date
December 21, 2000

Examiner
John L. Goff

Group Art Unit
1733

Invention:

Process and apparatus for producing a laminate, comprising at least one polymer film with information and
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Statement

The entire delay in filing the required reply from the due date for the required reply until the filing of a grantable petition under 37 CFR 1.137(b) was unintentional.

M. Robert Kestenbaum
Signature

Dated: January 5, 2004

M. Robert Kestenbaum
Reg. No. 20,430
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Albuquerque, NM USA 87111
Phone: (505) 323 0771
Fax: (505) 323 0865

I certify that this document and fee is being deposited
on JAN 05 2004 with the U.S. Postal Service as
first class mail under 37 C.F.R. 1.8 and is addressed to the
Mail Stop Petition, Commissioner for Patents, P.O. Box
1450, Alexandria, VA 22313-1450.

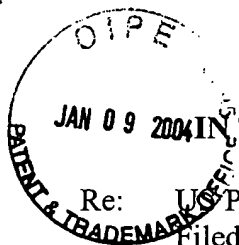
M. Robert Kestenbaum

Signature of Person Mailing Correspondence

M. Robert Kestenbaum

Typed or Printed Name of Person Mailing Correspondence

CC:



#20

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Re: US Patent Application 09/746,732
Filed December 21, 2000
Applicant Kiener
Art Unit 1733
Examiner John L. Goff
Examiner's Phone (703) 305-7481
Examiner's Fax (703) 872-9310
Attorney Docket (MM) 54 039

Commissioner for Patents
PO Box 1450
Alexandria, VA 22313-1450

Petition Not to Apply a Restriction Requirement to the Claims Submitted in the Further
Amendment After Final Action Resubmitted in this RCE

Dear Examiner Goff:

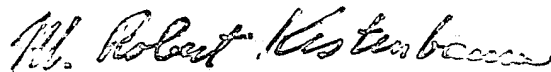
Restriction requirement was made on August 7, 2002 (paper number 7).

Restriction was required between claims 1-12 drawn to a process for producing a laminate and claims 13-22 drawn to an apparatus for producing a laminate. The reasons for the restriction requirement were that the process as claimed could be practiced by another materially different apparatus or by hand or the apparatus as claimed could be used to practice another and materially different process. In the Amendment After Final Action resubmitted in this RCE claim 1, which covers the process for producing the laminate is amended to recite that the laminate comprises at least one polymer film (17), at least one supporting film (23) on one side, and at least one substrate (18) on the other side of the polymer film (17). The at least one supporting film (23) on the other side of the at least one polymer film (17) is delaminated and the laminate (44) and at least one substrate (19) is laminated on the other side to the at least one polymer film (17) by an adhesive and subsequently exposed to a crosslinking-active UV radiation.

Claim 13 covers the apparatus for producing a laminate (16). The terms of the apparatus claims are substantially the same as the terms of the process claims. The apparatus claims are presented in process terms. Therefore the apparatus according to claim 13 is limited to the process according to claim 1 and visa versa. There is no possibility to perform the process by an apparatus different from claim 13.

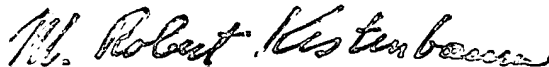
It is respectfully requested that the restriction requirement be withdrawn as to the claims in this application as currently amended.

Respectfully Submitted,



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I hereby certify this correspondence is being deposited with the US Postal Service First Class Mail in an envelope with sufficient postage to PO Box 1450, Commissioner for Patents, Alexandria, VA 22313-1450 on January 5, 2004.



M. Robert Kestenbaum